

TO: Mail Stop 8 Director of the U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK
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In Compliance with 35 § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been
filed in the U.S. District Court NDCA on the following ☒ Patents or ☐ Trademarks:

DOCKET NO. CV 12-05035 DMR	DATE FILED 9/27/2012	U.S. DISTRICT COURT 1301 Clay St., Suite 400S, Oakland, CA 94612
PLAINTIFF INTERNET PATENTS CORP		DEFENDANT THE ACTIVE NETWORK INC
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 7,707,505		*See attached complaint
2		
3		
4		
5		

In the above—entitled case, the following patent(s) have been included:

DATE INCLUDED	INCLUDED BY <input type="checkbox"/> Amendment <input type="checkbox"/> Answer <input type="checkbox"/> Cross Bill <input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
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In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK Richard W. Wieking	(BY) DEPUTY CLERK Valerie Kyono	DATE October 1, 2012
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Copy 1—Upon initiation of action, mail this copy to Commissioner Copy 3—Upon termination of action, mail this copy to Commissioner
Copy 2—Upon filing document adding patent(s), mail this copy to Commissioner Copy 4—Case file copy

212 SEP 27 1931

Fig. 2

DMR

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

C 12 5035

Case No. _____

**ORIGINAL COMPLAINT FOR
PATENT INFRINGEMENT**

JURY DEMANDED

Case No. _____

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

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1 Plaintiff Internet Patents Corporation, f/k/a Insweb Corporation ("Plaintiff" or "IPC"),
2 files this Complaint for Patent Infringement and damages against Defendant The Active Network
3 ("Active Network" or "Defendant"), and would respectfully show the Court as follows:

4 **PARTIES**

5 1. Plaintiff Internet Patents Corporation, f/k/a Insweb Corporation, is a Delaware
6 corporation having its principal place of business at 10850 Gold Center Dr., Suite 250B, Rancho
7 Cordova, California 95670.

8 2. On information and belief, Defendant Active Network is a Delaware corporation
9 having its principal place of business at 10182 Telesis Court, San Diego, California, 92121.
10 Upon information and belief, Active Network has appointed its agent for service as follows:
11 National Registered Agents, Inc., 160 Greentree Dr., Dover, DE 19904.

12
13 **JURISDICTION AND VENUE**

14 3. This action arises under the patent laws of the United States, Title 35 of the
15 United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331
16 and 1338(a).

17 4. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On
18 information and belief, Active Network has a regular and established place of business in this
19 district, has transacted business in this district, and/or has committed, contributed to, and/or
20 induced acts of patent infringement in this district.

21
22 **BACKGROUND**

23 5. In 1999, Plaintiff IPC began operating an online insurance marketplace that
24 enabled consumers to shop online for a variety of insurance products, including automobile, term

1 life, homeowners, renters and individual health insurance, and obtain insurance company-
2 sponsored quotes for actual coverage. During this period, IPC developed several e-commerce
3 technologies.

4 6. More specifically, IPC created the Dynamic Tabs technology. The Dynamic Tabs
5 technology provides website users with an online application consisting of a series of
6 dynamically generated web pages (i.e., a form set). The online application is organized and
7 presented to provide re-entrant editing, error trapping, flagging correction, and easy navigation
8 from page to page without data loss using the website tabs and conventional browser
9 functionality.

10 7. On April 27, 2010, the United States Patent and Trademark Office ("PTO") duly
11 and legally issued United States Patent No. 7,707,505 ("the '505 patent"), entitled "Dynamic
12 Tabs For a Graphical User Interface." A true and correct copy of the '505 patent is attached as
13 Exhibit A. The '505 patent is assigned to IPC. As such, IPC holds all right, title and interest in
14 and to the '505 patent.

15 8. Upon information and belief, Active Network is a technology and media company
16 that operates the website www.activenetwork.com, and which promotes itself as possessing a
17 technology platform that is provided to the largest network of organizations, activities, and
18 people in four key market segments: business events, community activities, outdoors and sports.
19 Active Network claims that its technology platform provides for automated online registrations
20 and applications.

21 9. Upon information and belief, Active Network makes, has made, uses, offers for
22 sale or sells in the State of California, in this judicial district, and elsewhere within the United
23 States, online registration and application technology that infringes the '505 patent.

1
2 **COUNT I**
3

4 **ACTIVE NETWORK'S INFRINGEMENT OF U.S. PATENT NO. 7,707,505**

5 10. IPC incorporates paragraphs 1-9 above as if fully repeated and restated herein.

6 11. Upon information and belief, Defendant Active Network has been and now is
7 directly infringing (and indirectly infringing by way of inducing infringement and/or
8 contributing to the infringement) the '505 patent in this judicial district, and elsewhere in the
9 United States by, among other things, providing online registration and application technology
10 covered by one or more claims of the '505 patent. Active Network is thus liable for infringement
11 of the '505 patent pursuant to 35 U.S.C. § 271.

12 12. As a result of Active Network's infringement of the '505 patent, IPC has suffered
13 monetary damages in an amount not yet determined, and will continue to suffer damages in the
14 future unless Active Network's infringing activities are enjoined by this Court.

15 13. Unless a permanent injunction is issued enjoining Active Network and its agents,
16 servants, employees, attorneys, representatives, affiliates, and all others acting on their behalf
17 from infringing the '505 patent, IPC will be greatly and irreparably harmed.

18
19 **PRAYER FOR RELIEF**

20 WHEREFORE, IPC respectfully requests that this Court enter:

21 1. A judgment in favor of IPC that Active Network has infringed, directly and/or
22 indirectly, by way of inducing and/or contributing to the infringement of the '505 patent, and that
23 such infringement was willful;

24 2. A permanent injunction enjoining Active Network and their officers, directors,
25 agents, servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others

1 acting in concert or privity with any of them from infringing, inducing the infringement of, or
2 contributing to the infringement of the '505 patent;

3 3. A judgment and order requiring Active Network to pay IPC its damages, costs,
4 expenses, and prejudgment and post-judgment interest for Active Network's infringement of the
5 '505 patent as provided under 35 U.S.C. § 284;

6 4. An award to IPC for enhanced damages resulting from the knowing, deliberate,
7 and willful nature of Active Network's prohibited conduct with notice being made at least as
8 early as the date of the filing of this Complaint, as provided under 35 U.S.C. § 284;

9 5. A judgment and order finding that this is an exceptional case within the meaning
10 of 35 U.S.C. § 285 and awarding to IPC its reasonable attorneys' fees; and

11 6. Any and all other relief to which IPC may show itself to be entitled.
12

13 **DEMAND FOR JURY TRIAL**

14 Plaintiff, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of
15 any issues so triable by right.
16

1 Dated: September 27, 2012

2 Respectfully submitted,

3
4 By: 

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21
22 **Pro hac vice application forthcoming*

23
24 **ATTORNEYS FOR PLAINTIFF**
25 **INTERNET PATENTS CORPORATION**